



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7

11201 Renner Boulevard
Lenexa, Kansas 66219

APR 11 2013

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No: 7012 1640 0001 7091 5190

Mr. Aaron Armstrong
Director of Quality Assurance
Trans States Airlines
11495 Navaid Road, Suite 340
Bridgeton, Missouri 63044

Re: Notice of Violations; Aircraft Drinking Water Rule
Public Water System ID # - AC0005593; FAA Registry # - N808HK
Public Water System ID # - AC0005595; FAA Registry # - N810HK
Public Water System ID # - AC0005603; FAA Registry # - N839HK

Dear Mr. Armstrong:

The purpose of this letter is to provide formal notification that Trans States Airlines has violated the Aircraft Drinking Water Rule (ADWR), promulgated by the EPA under the Safe Drinking Water Act. These violations are based on information reported to the Environmental Protection Agency's Aircraft Reporting and Compliance System (ARCS).

Violations:

Based on information reported to ARCS, Trans States Airlines has incurred violations for failure to comply with reporting requirements of the ADWR specified at **40 CFR 141.806**, and **40 CFR 141.810(d)** for the following aircraft/public water systems, and the following dates:

<u>PWS ID/FAA Registry #</u>	<u>Violation Start Date</u>
AC0005593	11/16/12
AC0005593	12/1/12
AC0005595	11/16/12
AC0005595	11/22/12
AC0005603	1/17/13



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Specifically, Trans States failed to report ARCS events within 10 days of the event.

Notably, in all instances, these reporting violations began with sampling events where two positive total coliform results were obtained during routine monitoring for each aircraft, followed by E. Coli negative results. Such sample results trigger required corrective actions under the ADWR. Positive total coliform samples were collected for AC0005593 and 0005595 on 10/29/12, and for AC0005603 on 12/27/12.

Based on information reported in ARCS, and your discussions with EPA, we understand that Trans States responded with appropriate corrective actions upon being informed of the positive coliform results, including restricting access to the affected water systems, disinfection and flushing of the systems, and appropriate follow-up sampling.

We appreciate your diligence and timeliness in implementing appropriate corrective actions, however, all such actions, along with routine monitoring results must be timely reported to the ARCS database to document your compliance record. Based on information you shared with the EPA, we understand that you may have misunderstood the ARCS reporting deadline, and that future reporting should be performed in a timely manner.

To Return to Compliance:

Trans States should ensure that future ARCS events are reported to the ARCS database within 10 days of the event. No further actions are required of Trans States at this time to return to compliance.

Beyond the reporting violations noted, the EPA is concerned about the number of positive coliform samples collected. Given that positive coliform results were obtained from six different sampling locations, it is possible that contamination is being introduced as an artifact of the sampling process, and that the results may not be indicative of water quality. Please take steps to review your sample collection methods, and ensure that proper protocols are being implemented by responsible staff.

While the EPA is not presently pursuing further enforcement actions in response to the violations noted herein, please understand that the EPA may seek to escalate its enforcement response should similar violations recur.

Please contact Scott Marquess of my staff at (913) 551-7131 if you have any questions or would like to discuss this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Wayne Desilva", followed by a stylized flourish.

Karen A. Flournoy

Director

Water, Wetlands, and Pesticides Division